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		Application Number	09/991,048
		Filing Date	November 21, 2001
		First Named Inventor	Dennis Tribble
		Art Unit	2162
		Examiner Name	B. N. To
Total Number of Pages in This Submission	5	Attorney Docket Number	03946/000K020-US0

### ENCLOSURES (Check all that apply)

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### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	DARBY & DARBY P.C.		
Signature			
Printed name	David Leason		
Date	July 31, 2006	Reg. No.	36,195



Application No. (if known): 09/991,048-Conf. # 3800

Attorney Docket No.: 03946/000K020-US0

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Letter To Examiner In Reply To Response To Rule 312  
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AUG 02 2006

Docket No.: 03946/000K020-US0  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Dennis Tribble

Application No.: 09/991,048

Confirmation No.: 3800

Filed: November 21, 2001

Art Unit: 2162

For: SERIAL DATA CAPTURE AND  
PROCESSING

Examiner: To, Baoquoc N.

**LETTER TO EXAMINER IN REPLY TO  
RESPONSE TO RULE 312 COMMUNICATION**

MS Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Upon review of the Examiner's Response to Rule 312 Communication, Applicants are unsure whether Applicants' amendment to claim 4 has been entered by the Examiner. The mark-up of claim 4 submitted with Applicants' Amendment under 37 C.F.R. § 1.312 follows for convenience:

The method of claim 3, wherein the source is the particular LSM and wherein including the step of populating the data structure with data parsed from the printer output stream is in accordance with the set of configuration rules for the particular LSM.

Applicants submit that the proposed amendment has no impact on the scope of the claim, places the claim in correct grammatical form, and is a correctable error due to the Examiner's Amendment, not any action by the Applicant.

Additionally, in view of the Examiner's response to Applicants' Amendment under 37 C.F.R. § 1.312, claim 20 recites in relevant part:

wherein the PSM is configured to determine suitability for handling of drug orders by **an automated medication preparation system** with reference to an order database, and  
                                  wherein the data structure enables data handling and preparation of one or more medications by **the an automated medication preparation system.**

(emphasis added). Applicants agree with the Examiner that “*the* an automated medication preparation system” recited by the second wherein-clause refers to the same “an automated medication preparation system” recited by the preceding wherein-clause. Due to an error on Applicants’ part, the wrong word was struck from the proposed claim 20. Applicants had intended to delete the word “an” after “the,” but Applicants inadvertently struck through “*the*.” Applicants’ remarks submitted with the Amendment under 37 C.F.R. § 1.312 clearly identify the mistake and state Applicant’s true intent. The relevant portion of Applicants remarks is reproduced below:

The word “an” has been deleted as superfluous because the preceding “wherein” clause added by the Examiner’s amendment provides an antecedent basis for “an automated medication preparation system.”

Applicants believe that deletion of the word “an” in the second wherein-clause results in better grammar and does not change the scope of claim 20. However, Applicants agree with the Examiner’s assessment that both wherein-clauses refer to the same “medication preparation system.”

Dated: July 31, 2006

Respectfully submitted,

By David Leason

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